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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Southwest Heritage Bank,

10 Plaintiff,

11 v.

12 Steven C Coury, et al.,

13 Defendants.  
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No. CV-25-00047-PHX-JZB

**ORDER**

15 This matter was assigned to Magistrate Judge John Z. Boyle. On June 23, 2025, the  
16 Magistrate Judge filed a Report and Recommendation with this Court.<sup>1</sup> (Doc. 30). The  
17 Magistrate Judge recommends that the Court grant Defendants' Motion to Set Aside  
18 Default (Doc. 23), and that the Clerk of the Court's Entry of Default against Defendants  
19 Steven C. Coury and Steve Coury Ford be vacated. To date, no objections have been filed.

20 <sup>1</sup> This case is assigned to a Magistrate Judge. However, not all parties have consented  
21 to the jurisdiction of the Magistrate Judge. Thus, the matter is before this Court pursuant  
22 to General Order 21-25, which states in relevant part:

23 When a United States Magistrate Judge to whom a civil action has been  
24 assigned pursuant to Local Rule 3.7(a)(1) considers dismissal to be  
25 appropriate but lacks the jurisdiction to do so under 28 U.S.C. § 636(c)(1)  
26 due to incomplete status of election by the parties to consent or not consent  
27 to the full authority of the Magistrate Judge,

**IT IS ORDERED** that the Magistrate Judge will prepare a Report and  
28 Recommendation for the Chief United States District Judge or designee.

**IT IS FURTHER ORDERED** designating the following District Court  
Judges to review and, if deemed suitable, to sign the order of dismissal on  
my behalf:

Phoenix/Prescott: Senior United States District Judge Stephen M. McNamee

## I. STANDARD OF REVIEW

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the service of a copy of the Magistrate’s recommendation within which to file specific written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to object to a Magistrate Judge’s recommendation relieves the Court of conducting *de novo* review of the Magistrate Judge’s factual findings and waives all objections to those findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a Magistrate Judge’s conclusion “is a factor to be weighed in considering the propriety of finding waiver of an issue on appeal.” Id.

## II. DISCUSSION

Having reviewed the Report and Recommendation of the Magistrate Judge, and no Objections having been made by any party thereto, the Court hereby incorporates and adopts the Magistrate Judge’s Report and Recommendation.


## III. CONCLUSION

Accordingly,

**IT IS ORDERED granting** Defendants’ Motion to Set Aside Default. (Doc. 23).

**IT IS FURTHER ORDERED vacating** the Clerk of Court’s Entry of Default.

Dated this 10th day of July, 2025.

  
 Stephen M. McNamee  
 Senior United States District Judge